

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Daniel L. Little**  
Debtor(s)

Bankruptcy Case No.: 19-21783-CMB  
Per December 19, 2019 proceeding  
Chapter: 13  
Docket No.: 47 – 25, 41  
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated September 4, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: M&T Bank (Cl #8); Keybank (Cl #14) with payments per plan .
- ☒ H. Additional Terms: Ally Bank (Cl #10) not to be paid, as debt is being paid outside plan by debtor's son.

The claim of Citi Mortgage Inc. (Cl #3) governs as to amount at 7.8 percent with payments of \$533.55 to pay in full.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

  
Carlota M. Böhm, Judge  
United States Bankruptcy Court

Dated: January 3, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Daniel L. Little  
 Debtor

Case No. 19-21783-CMB  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: lmar  
 Form ID: 149

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 Total Noticed: 30

Date Rcvd: Jan 03, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 05, 2020.

db +Daniel L. Little, 1127 Preston Dr., North Versailles, PA 15137-2713  
 cr +CitiMortgage, Inc., c/o Stern & Eisenberg, PC, 1581 Main Street, Suite 200,  
 The Shops at Valley Square, Warrington, PA 18976-3403  
 15044179 +American Express, PO Box 981537, El Paso, TX 79998-1537  
 15137600 American Express National Bank, c/o Becket and Lee LLP, PO Box 3001,  
 Malvern PA 19355-0701  
 15124110 +American Express National Bank, AENB, c/o Zwicker and Associates, P.C.,  
 Attorneys/Agents for Creditor, P.O. 9043, Andover, MA 01810-0943  
 15044180 +Best Buy/CBNA, PO Box 6497, Sioux Falls, SD 57117-6497  
 15044181 +Chase Card, PO Box 15298, Wilmington, DE 19850-5298  
 15124832 +CitiMortgage, Inc., C/O Cenlar FSB, 425 Phillips Blvd, Ewing, NJ 08618-1430  
 15125165 +CitiMortgage, Inc., c/o Cenlar FSB, BK Department, 425 Phillips Blvd.,  
 Ewing, NJ 08618-1430  
 15151463 Citibank, N.A., 5800 S Corporate Pl, Sioux Falls, SD 57108-5027  
 15044182 +Citimortgage Inc., PO Box 6243, Sioux Falls, SD 57117-6243  
 15044183 +Coll Svc Center, PO Box 560, New Kensington, PA 15068-0560  
 15127200 +JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A.,  
 c/o National Bankruptcy Services, LLC, P.O. Box 9013, Addison, Texas 75001-9013  
 15044190 +PNC Bank, PO Box 3180, Pittsburgh, PA 15230-3180  
 15143668 +PNC Bank NA, Bankruptcy Department, PO Box 94982, Cleveland, OH 44101-4982  
 15044191 +Sunoco/Citibank, PO Box 6497, Sioux Falls, SD 57117-6497  
 15044192 +U.S. Dept of Education/GL, 2401 International, POB 7859, Madison, WI 53707-7859  
 15128139 UNITED STATES DEPARTMENT OF EDUCATION, CLAIMS FILING UNIT, PO BOX 8973,  
 MADISON, WI 53708-8973

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

15146210 E-mail/Text: ally@ebn.phinsolutions.com Jan 04 2020 02:33:18 Ally Bank, PO Box 130424,  
 Roseville, MN 55113-0004  
 15044178 +E-mail/Text: ally@ebn.phinsolutions.com Jan 04 2020 02:33:18 Ally Financial,  
 PO Box 380901, Minneapolis, MN 55438-0901  
 15044184 +E-mail/Text: bankruptcy\_notifications@ccsusa.com Jan 04 2020 02:34:07  
 Credit Collection Services, 725 Canton St., Norwood, MA 02062-2679  
 15044185 E-mail/Text: mrdiscen@discover.com Jan 04 2020 02:33:18 Discover Fincl Svc LLC,  
 PO Box 15316, Wilmington, DE 19850  
 15120575 E-mail/Text: mrdiscen@discover.com Jan 04 2020 02:33:18 Discover Bank,  
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025  
 15151197 +E-mail/Text: kburkley@bernsteinlaw.com Jan 04 2020 02:34:03 Duquesne Light Company,  
 c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,  
 Pittsburgh, PA 15219-1945  
 15044187 +E-mail/Text: key\_bankruptcy\_ebnc@keybank.com Jan 04 2020 02:33:49 Keybank NA,  
 4910 Tiedeman Rd., Client Services OH-01-05-0562, Cleveland, OH 44144-2338  
 15044186 +E-mail/Text: key\_bankruptcy\_ebnc@keybank.com Jan 04 2020 02:33:49 Keybank NA,  
 4910 Tiedeman Rd., Cleveland, OH 44144-2338  
 15140635 E-mail/Text: camanagement@mtb.com Jan 04 2020 02:33:24 M&T Bank, PO Box 840,  
 Buffalo, NY 14240  
 15044188 E-mail/Text: camanagement@mtb.com Jan 04 2020 02:33:24 M&T Bank, PO Box 900,  
 Millsboro, DE 19966  
 15044189 +E-mail/Text: bankruptcy@onlineis.com Jan 04 2020 02:33:58 Online Information Services,  
 PO Box 1489, Winterville, NC 28590-1489  
 15044193 +E-mail/Text: documentfiling@lciinc.com Jan 04 2020 02:33:16 xfinity, PO Box 3001,  
 Southeastern, PA 19398-3001

TOTAL: 12

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr M&T Bank  
 cr\* +Duquesne Light Company, c/o Bernstein-Burkley, P.C.,  
 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945  
 15127201\* +JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A.,  
 c/o National Bankruptcy Services, LLC, P.O. Box 9013, Addison, Texas 75001-9013  
 TOTALS: 1, \* 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

District/off: 0315-2

User: lmar  
Form ID: 149

Page 2 of 2  
Total Noticed: 30

Date Rcvd: Jan 03, 2020

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jan 05, 2020

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 3, 2020 at the address(es) listed below:

Douglas G. Hipp on behalf of Debtor Daniel L. Little twohipp4u@hotmail.com  
James Warmbrodt on behalf of Creditor M&T Bank bkgroup@kmlawgroup.com  
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,  
jbluemle@bernsteinlaw.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Robert Shearer on behalf of Trustee Robert Shearer information@robertshearer.com,  
rshearer@ecf.axosfs.com/rspclaw@gmail.com  
Ronda J. Winnecour cmecf@chapter13trusteewdpa.com  
Steven P Kelly on behalf of Creditor CitiMortgage, Inc. skelly@sterneisenberg.com,  
bkecf@sterneisenberg.com

TOTAL: 7